

REMARKS

This responds to the Office Action dated December 1, 2006. Claims 1 and 6-18 are amended. Claims 1-20 are pending in this application.

Claim Objections

Claims 1-20 were objected to for informalities. Claims 1 and 6-18 were amended as recommended by the Examiner. Applicant respectfully requests withdrawal of the objections and allowance of claims 1-20.

§102 Rejection of the Claims

Claims 1-6 and 11-16 were rejected under 35 U.S.C. § 102(b) for anticipation by Max-Planck-Gesellschaft (DE 44 05 827 A1). Applicant respectfully traverses the rejection as applied to the claims in their present form.

Applicant cannot find in Max-Planck-Gesellschaft, among other things, an analyzing module configured to compute curvatures at sample points on the sensed cardiac signal, as presently recited in claims 1 and 11.

The Office Action states that little or no patentable weight is given to intended use limitations in the claims, such as “the analyzing module to compute curvatures...”¹ Claims 1 and 11 were amended to remove intended use limitations from the claim elements. Applicant respectfully requests reconsideration and allowance of claims 1-6 and 11-16.

Allowable Subject Matter

Claims 7-10 and 17-20 were objected to based on informalities contained therein, but were deemed by Examiner to contain allowable subject matter and to be allowable if rewritten or amended to overcome the objections set forth in the Office Action.

Claims 7-10, 17, and 18 were amended as suggested by the Examiner to remove the informalities. Applicant respectfully requests withdrawal of the objections and allowance of claims 7-10 and 17-20.

¹ Office Action, pg. 3.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Feb. 16, 2007

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16 day of February 2007.

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